

**LAND ONLY**  
**NOTICE OF POSTPONED TAX FORECLOSURE SALE**

Under and by virtue of a Judgment entered in the action entitled "County of Durham and City of Durham vs. Heirs of Mary Almina Rigsbee, also known as Minu U. Rigsbee, et als," File No. 11-CVD-3687, the undersigned Commissioner will, on the 11th day of October, 2011 (postponed from the 13th day of September, 2011), offer for sale and sell for cash, to the last and highest bidder at public auction, at the Main Street steps of the Durham County Judicial Building in Durham, North Carolina, at 12:00 o'clock, Noon, the following described real property, lying and being in the County of Durham, State of North Carolina, and more particularly described as follows:

**ESTIMATED MINIMUM BID \$6,245.00**

**Vacant 832 Underwood Avenue**

**Durham County Tax Parcel ID 108615**

**Former Tax Parcel ID 101-06-012)**

**Durham County GIS PIN No. 0821-10-26-4643**

BEGINNING at a point in a branch marking the southeastern corner of Lot 28, John V. Rigsbee Home Place, Plat Book 5A at page 10, Durham County Registry; thence with the branch, and the eastern (rear) lines of Lots 28, 27 and 26 as shown on said plat, in a northeasterly direction along an approximate bearing of North 40° 35' East approximately 265 feet to a point in the southern line of Lot 24 as shown on said plat, this also being the northwestern corner of that 0.50 acre tract conveyed to James (Jim) Elliott by deed recorded in Book 42 at page 250, Durham County Registry, the Elliott parcel now the property of Maplewood Partners, LLC, Plat Book 181 at page 357, Durham County Registry; thence with the western line of Maplewood Partners, a distance which is approximately between 193 and 200 feet to a stake marking the southwestern corner of Maplewood Partners in the northern line of the City of Durham (formerly R.G. Fitzgerald); thence with the northern line of the City of Durham South 86° 44' West approximately 165 feet (by current DMD measurement, 116.2 feet per plat referred to below), to a point, which is the place of BEGINNING. This property is supposed to contain approximately 0.364 acres by current DMD measurement (0.25 acres per plat referred to below), and is the same identical property which was conveyed to Mary Almina Rigsbee by deed recorded in Book 46 at page 315, Durham County Registry. See also plat of Crawford Bumpass, recorded in Plat Book 2 at page 94, Durham County Registry, where this parcel is the westernmost triangular parcel marked as "C.D. Rigsbee," C.D. Rigsbee being the spouse of Mary Almina Rigsbee, who predeceased her in 1937. Mary Almina Rigsbee, also known as Mina U. Rigsbee, died in Alameda, California in 1949, survived by three children: Edith Rigsbee Smith, Clara Ward Rigsbee Ruschin and John Underwood Rigsbee. Edith Rigsbee Smith died in August, 1974, survived by Leigh Hart Smith. Clara Ward Rigsbee Ruschin died in February, 1971, survived by a husband Louis Ruschin, and two children, Louis John Ruschin, Jr. and Timothy Leigh Ruschin. Louis Ruschin died in January, 1978, survived by Doris Ruschin as surviving spouse, and the two children born of the

marriage with Clara Ward Rigsbee Ruschin. Doris Ruschin died in November 1998, survived by two children from a previous marriage, this being Stephen G. Seibert and Kathleen H. Seibert. Louis John Ruschin, Jr. died with no spouse or lineal descendants, meaning that his brother Timothy Leigh Ruschin inherited his interest. John Underwood Rigsbee died intestate between 10 and 15 years ago in California, survived by a son named John Rigsbee, and possibly by a spouse, the mother of John Rigsbee.

This sale will be made subject to city and county property taxes for the year 2012 and subsequent years and all local improvement assessments against the above-described property not included in the judgment in the above-entitled cause. A deposit of ten percent (10%) of the successful bid will be required.

This the 13th day of September, 2011.

R. Douglas Davis, Commissioner  
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